

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAYNARD JACKSON,

Plaintiff,

v.

JOAN GERL, DANE ESSER,
RICHARD SCHNEITER and
PETER HUIBREGTSE,

Defendants.

ORDER

07-cv-656-bbc

This case is scheduled for trial on July 20, 2009. Plaintiff is in the custody of the Milwaukee County jail. (Although he was formerly a prisoner at the Wisconsin Secure Program Facility, his conviction was recently overturned, according to court records available publicly through Wisconsin Circuit Court Access Program, available at www.wcca.wicourts.gov. According to plaintiff's counsel, plaintiff has been released from the Wisconsin Secure Program Facility to be held at the Milwaukee County Jail temporarily.) Now before the court is plaintiff's request to appear without restraints and in street clothes during trial, which defendants have not opposed.

At this point, there has been no suggestion that plaintiff poses a security risk that would justify requiring him to appear in restraints and jail garb, requirements that could hamper plaintiff's ability to present his case effectively. Henderson v. Frank, 2007 U.S. Dist. LEXIS

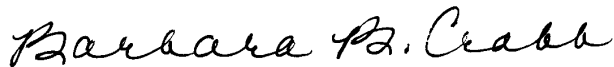
18917, *2-3 (W.D. Wis. Mar. 15, 2007). Therefore, I see no reason to deny plaintiff's request. Id., *3-5 (granting request to wear street clothes after finding no showing of security risk).

Plaintiff must arrange with his counsel, or with family members or friends, to have his street clothing delivered to the office of the United States Marshal, 120 N. Henry Street, Madison, WI 53703, by 8:00 a.m., July 20, 2009. Alternatively, he could ask the Milwaukee jail officials to transfer his clothing to the marshal when they bring him to the courthouse for trial. Whether they would agree to do so is a matter within their discretion.

Accordingly, IT IS ORDERED that plaintiff Raynard Jackson's request to appear without restraints and in street clothes during trial is GRANTED, subject to his making arrangements for the clothes to be delivered to the marshal's office.

Entered this 15th day of July, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Barbara B. Crabb". The signature is written in a cursive, flowing style.

BARBARA B. CRABB
District Judge